

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
MARK WILLS,

Plaintiff,

-against-

JACQUES PAQUIOT CONSTANT, et al.,

Defendants.
----- X

:
:
: 04 CV 4454 (ARR)

:
:
: NOT FOR
: PUBLICATION

:
:
: OPINION AND ORDER

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated November 16, 2005 from the Honorable Viktor V. Pohorelsky, United States Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, the court hereby adopts the Report and Recommendation, in its entirety, as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1). Accordingly, this action is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b).

SO ORDERED.

Allyne R. Ross
United States District Judge

Dated: December 15, 2005
Brooklyn, New York

SERVICE LIST:

Counsel for Plaintiff:
Vitaly Ostrovski
2218 86th Street, 2nd Floor
Brooklyn, NY 11214

Counsel for Defendant:
David W. Brand
Brand, Glick & Brand, P.C.
100 Ring Road West
Garden City, NY 11530

cc: Magistrate Viktor V. Pohorelsky